

Remarks/Arguments

Claims 1-20 remain in this application. Claims 1-2, 4-8, 10-12, 17-18 and 20 were rejected under 35 U.S.C. § 102 as being anticipated by Yang (4,962,918). Claims 1-3,5,7-10, 12-14, 16 and 20 were rejected under 35 U.S.C. § 102 as being anticipated by Bell Jr. (4,569,511). Furthermore, claim 9, 13, 15 and 19 were rejected as being unpatentable over Yang '918 in view of Orosz et al (6,431,534). Applicant respectfully disagrees with the examiner's rejection of the Claim. The claimed invention is neither anticipated by nor obvious in light of any of the cited prior art.


Applicant's invention solves a different problem than the prior art cited by Examiner. The claimed invention of this application relates to an apparatus for affixing push nuts to and removing push nuts from the axle rods of wheeled rollout carts. None of the cited prior art has any relationship to affixing or removing a push nuts from an axle rod in any application, let alone on rollout carts. Yang, Orosz et al, Sparling and Clark related to C-clamps. Bell, Jr. and Wolfe relate to jaw plates and pads for bench vises. No where in any of the cited prior art is "rollout cart," "axle rod" or "push nut" mentioned or suggested directly or indirectly. Consequently, the cited prior art cannot be relied on to disclose the teaching of the claimed invention.

Examiner's interpretation of the cited prior art is strained since dependent Claims 1, 8 and 13 each specifically recite elements not disclosed or suggested in the prior art. Claim 1 specifically recites a ram including a fitting mounted for receiving a push nut and means for reciprocating the ram to axially press the push nut onto an axle rod. Claim 8 specifically recites a ram including a fitting for contacting the flange of a push nut near the tooth and means for reciprocating the ram to forcibly deform the flange around the tooth of the push nut mounted to a axle rod. Claim 13 recites a ram with two interchangeable fittings and means for reciprocating the ram to either press the push nut onto an axle rod or to forcibly deform the flange around the tooth of the push nut mounted to the axle rod. None of the cited prior art discloses or suggest any of these claim elements. In addition, the cited prior art would have to be modified far outside the scope and intent of their teachings to be used for the

purposes of the claimed invention. There are no teachings in Orosz that suggest that clamping members 130 can be used for deforming the flanges of push nuts to remove the push nut from an axle rod. Nor is there any teaching in Yang or Bell Jr. that forcing head 512 (Yang) and jaw pads 10 can be adapted to receive push nuts to be pressed onto axle rods.

In conclusion, this invention is clearly distinguished from the cited prior art and is neither anticipated by nor obvious in light of any of the cited prior art. The Applicant respectfully submits Claims 1-20 are now in acceptable form for a notice of allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,




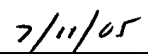
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22213-1450, on July 11, 2005.



R. Tracy Crump


(Date)